

House Bill 1236 (AS PASSED HOUSE AND SENATE)

By: Representative Wilkinson of the 52nd and Forster of the 3rd

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 48-5-444 of the Official Code of Georgia Annotated, relating to place of return of motor vehicles and mobile homes, so as to provide for the registration of certain motor vehicles in the county where such vehicles are functionally located; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-5-444 of the Official Code of Georgia Annotated, relating to place of return of motor vehicles and mobile homes, is amended by striking subsection (a) of said Code section and inserting in its place the following:

"(a)(1) For purposes of this subsection, the term 'functionally located' means located in a county in this state for 184 days or more during the immediately preceding calendar year. The 184 days or more requirement of this subsection shall mean the cumulative total number of days during such calendar year, which days may be consecutive.

(2)(A) Each motor vehicle owned by a resident of this state shall be returned in the county where the owner claims a homestead exemption or, if no such exemption is claimed, then in the county of the owner's domicile or, if the motor vehicle is primarily used in connection with some established business enterprise located in a different county, in the county where the business is located.

(B) A motor vehicle owned by a resident of this state may be registered in the county where the vehicle is functionally located if the vehicle is a passenger car as defined in paragraph (41) of Code Section 40-1-1. Such vehicle shall first be returned for taxation as provided in subparagraph (A) of this paragraph. This subparagraph shall not apply with respect to any vehicle which is used by a student enrolled in a college or university in this state in a county other than the student's domicile.

(C) Each motor vehicle owned by a nonresident shall be returned in the county where the motor vehicle is situated.

~~(2)~~(3) Any person who shall knowingly make any false statement in any application for the registration of any vehicle, in transferring any certificate of registration, or in applying for a new certificate of registration shall be guilty of false swearing, whether or not an oath is actually administered to such person, if such statement shall purport to be under oath. On conviction of such offense, such person shall be punished as provided by Code Section 16-10-71."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.